



STATE OF MICHIGAN  
BUREAU OF ELECTIONS  
LANSING

February 1, 2022

**DEADLINE ESTABLISHED FOR PUBLIC COMMENTS  
REGARDING PETITION SUMMARIES**

**STATEWIDE BALLOT PROPOSALS SPONSORED BY  
MICHIGAN INITIATIVE FOR COMMUNITY HEALTH**

Under Michigan election law, the sponsor of an initiative, referendum, or constitutional amendment petition may request approval of the summary of the purpose of the petition prior to circulating. MCL 168.482b(1). If a petition sponsor avails itself of this process, a summary of the proposal’s purpose must be prepared by the Director of Elections and presented to the Board of State Canvassers (Board) for approval or rejection. MCL 168.482b(2). The deadline for the Board to approve or reject the content of the petition summary is the 30<sup>th</sup> day following the sponsor’s submission. MCL 168.482b(1).

If the Board approves a petition summary as prepared by the Director of Elections, the sponsor must print the approved summary in 12-point type in the heading of the petition, and the Board will be barred from considering a subsequent challenge alleging that the summary is misleading or deceptive. MCL 168.482(3), 168.482b(1), (3). Further, if the Board subsequently determines that the petition contains enough valid signatures to merit certification, the Director of Elections and Board are authorized to draft and approve ballot wording that differs from the petition summary. Opinion of the Attorney General No. 7310 (May 22, 2019).

The “summary of the purpose of the proposed amendment or question” prepared by the Director of Elections may be up to 100 words in length and must consist of a true and impartial statement in language that does not create prejudice for or against the proposal. MCL 168.482b(2). The summary also must inform signers of the subject matter of the petition but need not be legally precise, and use words having a common, everyday meaning to the public. *Id.* When considering the language drafted by the Director of Elections, the Board is *not* considering the *merits* of the petition but is only determining whether the drafted 100 words are a true and impartial summary.

**MICHIGAN INITIATIVE FOR COMMUNITY HEALTH** submitted a request for approval of the petition summary. A copy of the full text of the proposed initiated law is provided with this announcement. **The Director of Elections is inviting public comments regarding the summary of the purpose of this proposed initiated law, including submissions of suggested language, as follows:**

<i>Deadline for submission of suggested petition summary and/or explanatory materials to staff:</i>	February 8, 2022 by 5:00 p.m.
<i>Date of Board of State Canvassers meeting at which the summary will be considered:</i>	February 11, 2022
<i>Deadline for Board of State Canvassers to approve or reject the summary of the content of the petitions:</i>	March 3, 2022

Submissions may be made via email ([MDOS-Canvassers@Michigan.gov](mailto:MDOS-Canvassers@Michigan.gov)), U.S. Mail (P.O. Box 20126, Lansing, Michigan 48901), or hand delivery (address provided below). **Submissions must be received in this office by the date and time specified to be considered.** Suggested 100-word summaries and explanatory materials, rather than general positions of support for or opposition to the petition, are encouraged.

## INITIATION OF LEGISLATION

Initiation of legislation amending 1978 PA 368, Public Health Code, by amending sections MCL 333.7403, 333.7404, 333.7451, and adding section 333.7462, to decriminalize the production and use of Natural Plants and Mushrooms, as defined herein, by adults, to provide exemptions from criminal penalties related to the production and use of Natural Plants and Mushrooms for bona fide religious use, to authorize an entity designated by a hospital to produce and administer Natural Plants and Mushrooms to individuals who have received a recommendation from a licensed medical professional, and reduce criminal penalties for possession of controlled substances within the State.

The People of the State of Michigan enact:

Sec. 7403. (1) EXCEPT AS OTHERWISE PROVIDED BY STATE LAW OR AS AUTHORIZED BY THIS ARTICLE, A person shall not knowingly or intentionally possess a controlled substance, a controlled substance analogue, or a prescription form unless the controlled substance, controlled substance analogue, or prescription form was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by this article.

(2) A person who violates this section as to:

(a) A controlled substance classified in schedule 1 or 2 that is a narcotic drug or a drug described in section 7214(a)(iv), and:

(i) That is in an amount of 1,000 grams or more of any mixture containing that substance is guilty of a MISDEMEANOR felony punishable by imprisonment for NOT MORE THAN 1 YEAR ~~life or any term of years~~ or a fine of not more than \$1,000,000.00, or both.

(ii) That is in an amount of 450 grams or more, but less than 1,000 grams, of any mixture containing that substance is guilty of a MISDEMEANOR felony punishable by imprisonment for not more THAN 180 DAYS ~~30 years~~ or a fine of not more than \$500,000.00, or both.

(iii) That is in an amount of 50 grams or more, but less than 450 grams, of any mixture containing that substance is guilty of a MISDEMEANOR felony punishable by imprisonment for not more than 150 DAYS ~~20 years~~ or a fine of not more than \$250,000.00, or both.

(iv) That is in an amount of 25 grams or more, but less than 50 grams of any mixture containing that substance is guilty of a MISDEMEANOR felony punishable by imprisonment for not more than 93 DAYS ~~4 years~~ or a fine of not more than \$25,000.00, or both.

(v) That is in an amount less than 25 grams of any mixture containing that substance is guilty of a MISDEMEANOR felony punishable by imprisonment for not more than 93 DAYS ~~4 years~~ or a fine of not more than \$25,000.00, or both.

(b) Either of the following:

(i) A substance described in section 7212(1)(h) or 7214(c)(ii) is guilty of a MISDEMEANOR felony punishable by imprisonment for not more THAN 93 DAYS ~~10 years~~ or a fine of not more than \$15,000.00, or both.

(ii) A controlled substance classified in schedule 1, 2, 3, or 4, except a controlled substance for which a penalty is prescribed in subparagraph

(i) or subdivision (a), (c), or (d), OR (F) or a controlled substance analogue is guilty of a MISDEMEANOR felony punishable by imprisonment for not more than 60 DAYS ~~2 years~~ or a fine of not more than \$2,000.00, or both.

(c) ~~Lysergic acid diethylamide, p~~Peyote, mescaline, dimethyltryptamine, psilocyn, psilocybin, IBOGAINE, or a controlled substance classified in schedule 5 is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or A FINE OF NOT MORE THAN \$21,000.00, or both.

(d) ~~Marihuana or a~~ A substance listed in section 7212(1)(d) is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$21,000.00, or both.

(e) A prescription form is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(F) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2) OF THIS SECTION, A PROSECUTING ATTORNEY SHALL NOT CHARGE OR PROSECUTE A PERSON PURSUANT TO THIS SECTION FOR ANY MINUSCULE, RESIDUAL, OR UNUSABLE AMOUNT OF A CONTROLLED SUBSTANCE THAT MAY BE PRESENT IN DRUG PARAPHERNALIA, AS DEFINED IN SECTION 333.7451.

(3) The following individuals are not in violation of this section:

(a) An individual who seeks medical assistance for himself or herself or who requires medical assistance and is presented for assistance by another individual if he or she is incapacitated because of a drug overdose or other perceived medical emergency arising from the use of a controlled substance or a controlled substance analogue that he or she possesses or possessed in an amount sufficient only for personal use and the evidence of his or her violation of this section is obtained as a result of the individual's seeking or being presented for medical assistance.

(b) An individual who in good faith attempts to procure medical assistance for another individual or who accompanies another individual who requires medical assistance for a drug overdose or other perceived medical emergency arising from the use of a controlled substance or a controlled substance analogue that he or she possesses or possessed in an amount sufficient only for personal use and the evidence of his or her violation of this section is obtained as a result of the individual's attempting to procure medical assistance for another individual or as a result of the individual's accompanying another individual who requires medical assistance to a health facility or agency.

(4) A health facility or agency shall develop a process for notification of the parent or parents, guardian, or custodian of a minor under the age of 18 who is not emancipated under 1968 PA 293, MCL 722.1 to 722.6, and who voluntarily presents himself or herself, or is presented by another individual if he or she is incapacitated, to a health facility or agency for emergency medical treatment as provided in subsection (3). A health facility or agency shall not provide notification to a parent or parents, guardian, or custodian under this subsection for nonemergency treatment without obtaining the minor's consent.

(5) The exemption from prosecution under this section provided in subsection (3) does not prevent the investigation, arrest, charging, or prosecution of an individual for any other violation of the laws of this state or be grounds for suppression of evidence in the prosecution of any other criminal charges.

(6) If an individual was sentenced to lifetime probation under subsection (2)(a)(iv) as it existed before March 1, 2003 and the individual has served 5 or more years of that probationary period, the probation officer for that individual may recommend to the court that the court discharge the individual from probation. If an individual's probation officer does not recommend

discharge as provided in this subsection, with notice to the prosecutor, the individual may petition the court seeking resentencing under the court rules. The court may discharge an individual from probation as provided in this subsection. An individual may file more than 1 motion seeking resentencing under this subsection.

(7) As used in this section:

(a) "Drug overdose" means a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, mania, or death, that is the result of consumption or use of a controlled substance or a controlled substance analogue or a substance with which the controlled substance or controlled substance analogue was combined, or that a layperson would reasonably believe to be a drug overdose that requires medical assistance.

(b) "Seeks medical assistance" means reporting a drug overdose or other medical emergency to law enforcement, the 9-1-1 system, a poison control center, or a medical provider, or assisting someone in reporting a drug overdose or other medical emergency.

Sec. 7404. (1) EXCEPT AS OTHERWISE PROVIDED BY STATE LAW OR AS AUTHORIZED BY THIS ARTICLE, A person shall not use a controlled substance or controlled substance analogue unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by this article.

(2) A person who violates this section as to:

(a) A controlled substance classified in schedule 1 or 2 as a narcotic drug or a drug described in section 7212(1)(h) or 7214(a)(iv) or (c)(ii) is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$2,000.00, or both.

(b) A controlled substance classified in schedule 1, 2, 3, or 4, except a controlled substance for which a penalty is prescribed in subdivision (a), (c), or (d), or a controlled substance analogue, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(c) Lysergic acid diethylamide, pPeyote, mescaline, dimethyltryptamine, psilocyn, psilocybin, IBOGAINE, or a controlled substance classified in schedule 5 is guilty of a misdemeanor punishable by imprisonment for not more than 6 months or a fine of not more than \$500.00, or both.

(d) Marijuana, *Cathia edulis*, *salvia divinorum*, or a substance described in section 7212(1)(d) or (i) is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$100.00, or both.

(3) The following individuals are not in violation of this section:

(a) An individual who seeks medical assistance for himself or herself or who requires medical assistance and is presented for assistance by another individual if he or she is incapacitated because of a drug overdose or other perceived medical emergency arising from the use of a controlled substance or a controlled substance analogue that he or she possesses or possessed in an amount sufficient only for personal use and the evidence of his or her violation of this section is obtained as a result of the individual's seeking or being presented for medical assistance.

(b) An individual who in good faith attempts to procure medical assistance for another individual or who accompanies another individual who requires medical assistance for a drug overdose or other perceived medical emergency arising from the use of a controlled substance or a controlled substance analogue that he or she possesses or possessed in an amount sufficient only for personal use and the evidence of his or her violation of this section is obtained as a result of the individual's attempting to procure medical assistance for another individual or as a result of the individual's accompanying another individual who requires medical assistance to a health facility or agency.

(4) A health facility or agency shall develop a process for notification of the parent or parents, guardian, or custodian of a minor under the age of 18 who is not emancipated under 1968 PA 293, MCL 722.1 to 722.6, and who voluntarily presents himself or herself, or is presented by another individual if he or she is incapacitated, to a health facility or agency for emergency medical treatment as provided in subsection (3). A health facility or agency shall not provide notification to a parent or parents, guardian, or custodian under this subsection for nonemergency treatment without obtaining the minor's consent.

(5) The exemption from prosecution under this section provided in subsection (3) does not prevent the investigation, arrest, charging, or prosecution of an individual for any other violation of the laws of this state, or be grounds for suppression of evidence in the prosecution of any other criminal charges.

(6) As used in this section:

(a) "Drug overdose" means a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, mania, or death, that is the result of consumption or use of a controlled substance or a controlled substance analogue or a substance with which the controlled substance or controlled substance analogue was combined, or that a layperson would reasonably believe to be a drug overdose that requires medical assistance.

(b) "Seeks medical assistance" means reporting a drug overdose or other medical emergency to law enforcement, the 9-1-1 system, a poison control center, or a medical provider, or assisting someone in reporting a drug overdose or other medical emergency.

Sec. 7451. (1) As used in sections 7453 to 7461 and section 7521, "drug paraphernalia" means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting; propagating; cultivating; growing; harvesting; manufacturing; compounding; converting; producing; processing; preparing; TESTING; ANALYZING; packaging; repackaging; storing; containing; concealing; injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance; including, but not limited to, all of the following:

(a) An isomerization device specifically designed for use in increasing the potency of any species of plant which plant is a controlled substance.

~~(b) Testing equipment specifically designed for use in identifying or in analyzing the strength, effectiveness, or purity of a controlled substance.~~

~~(c) (B) A weight scale or balance specifically designed for use in weighing or measuring a controlled substance.~~

~~(d) (C) A diluent or adulterant, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose, and lactose, specifically designed for use with a controlled substance.~~

~~(e) (D) A separation gin or sifter specifically designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana.~~

~~(f) (E) An object specifically designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body.~~

~~(g) A kit specifically designed for use in planting, propagating, cultivating, growing, or harvesting any species of plant which is a controlled substance or from which a controlled substance can be derived.~~

~~(h) (F) A kit specifically designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances.~~

~~(i) (G) A device, commonly known as a cocaine kit, that is specifically designed for use in ingesting, inhaling, or otherwise introducing controlled substances into the human body, and which consists of at least a razor blade and a mirror.~~

~~(j) (H) A device, commonly known as a bullet, that is specifically designed to deliver a measured amount of controlled substances to the user.~~

~~(k) (I) A device, commonly known as a snorter, that is specifically designed to carry a small amount of controlled substances to the user's nose.~~

(j) (J) A device, commonly known as an automotive safe, that is specifically designed to carry and conceal a controlled substance in an automobile, including, but not limited to, a can used for brake fluid, oil, or carburetor cleaner which contains a compartment for carrying and concealing controlled substances.

(m) (K) A spoon, with or without a chain attached, that has a small diameter bowl and that is specifically designed for use in ingesting, inhaling, or otherwise introducing controlled substances into the human body.

(2) "DRUG PARAPHERNALIA" DOES NOT INCLUDE:

(A) TESTING EQUIPMENT USED, INTENDED FOR USE, OR DESIGNED FOR USE IN IDENTIFYING OR IN ANALYZING THE STRENGTH, EFFECTIVENESS, OR PURITY OF CONTROLLED SUBSTANCES.

333.7462 EXEMPTIONS FROM OFFENSES AND PENALTIES.

SEC. 7462. (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE FOLLOWING CONDUCT IS NOT A VIOLATION OF STATE LAW OR THE LAWS OF ANY LOCALITY WITHIN THE STATE AND NO CONDUCT PERMITTED BY THIS SECTION SHALL CONSTITUTE AN ELEMENT OF A STATE OR LOCAL CRIME OR OFFENSE OR BE THE BASIS FOR INVESTIGATION, DETENTION, SEARCH, SEIZURE, ARREST, OR OTHER LEGAL PENALTY:

(A) THE POSSESSION, USE, CULTIVATION, PRODUCTION, CREATION, ANALYSIS, GIVING AWAY, AND DELIVERY BY OR BETWEEN NATURAL PERSONS EIGHTEEN (18) YEARS OF AGE OR OLDER OF PSILOCYBIN, PSILOCYN, IBOGAINE, Mescaline, PEYOTE, AND DIMETHYLTRYPTAMINE, AS THOSE TERMS ARE DEFINED IN SECTION 333.7212(C), AND COLLECTIVELY DEFINED HEREIN AS "NATURAL PLANTS AND MUSHROOMS";

(B) THE PROVISION OF SUPERVISION, GUIDANCE, THERAPEUTIC, HARM REDUCTION, SPIRITUAL, COUNSELING, AND RELATED SUPPORTIVE SERVICES WITH OR WITHOUT REMUNERATION BY NATURAL PERSONS EIGHTEEN (18) YEARS OF AGE AND OLDER TO NATURAL PERSONS EIGHTEEN (18) YEARS OF AGE OR OLDER WHO ARE ENGAGING IN THE INTENTIONAL AND CONSENTING USE OF NATURAL PLANTS AND MUSHROOMS;

(C) THE MANUFACTURE, POSSESSION, AND DISTRIBUTION OF PARAPHERNALIA, AS DEFINED IN SECTION 333.7451, DESIGNED FOR USE IN THE CULTIVATION, PRODUCTION, STORAGE, OR USE OF NATURAL PLANTS AND MUSHROOMS BY A NATURAL PERSON EIGHTEEN (18) YEARS OF AGE OR OLDER;

(D) THE POSSESSION, USE, CULTIVATION, PRODUCTION, CREATION, MANUFACTURE, ANALYSIS, DELIVERY, SALE, AND ADMINISTRATION OF NATURAL PLANTS AND MUSHROOMS BY AN ENTITY DESIGNATED BY A HOSPITAL OR PSYCHIATRIC HOSPITAL THAT HAS RECEIVED A CERTIFICATE OF NEED FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR HAS RECEIVED A LETTER OF INTENT FOR A CERTIFICATE OF NEED ISSUED PRIOR TO MARCH 1ST, 2022 FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, TO NATURAL PERSONS WHO HAVE RECEIVED A WRITTEN RECOMMENDATION FROM A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN MICHIGAN STATING THAT THE USE OF SUCH NATURAL PLANTS AND MUSHROOMS MAY BENEFIT THE PATIENT'S HEALTH;

(E) THE POSSESSION AND USE OF NATURAL PLANTS AND MUSHROOMS BY A NATURAL PERSON PURSUANT TO A WRITTEN RECOMMENDATION FROM A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN MICHIGAN;

(F) THE RECOMMENDATION AND DISCUSSION OF THE USE OF NATURAL PLANTS AND MUSHROOMS BY A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN MICHIGAN WITH THEIR PATIENTS; AND

(G) THE POSSESSION, USE, CULTIVATION, PRODUCTION, CREATION, GIVING AWAY, DELIVERY, OR ADMINISTRATION OF NATURAL PLANTS AND MUSHROOMS TO NATURAL PERSONS EIGHTEEN (18) YEARS OF AGE OR OLDER FOR BONA FIDE RELIGIOUS USE BY A RELIGIOUS ORGANIZATION THAT HAS BEEN ESTABLISHED AS AN ECCLESIASTICAL CORPORATION WITHIN THE STATE OF MICHIGAN FOR AT LEAST ONE (1) YEAR.

(2) A HOLDER OF A PROFESSIONAL OR OCCUPATIONAL LICENSE OR CERTIFICATION SHALL NOT BE SUBJECT TO PROFESSIONAL DISCIPLINE OR LOSS OF A PROFESSIONAL LICENSE OR CERTIFICATION SOLELY FOR ENGAGING IN ANY ACTIVITIES DESCRIBED IN THIS SECTION.

(3) A HOSPITAL OR PSYCHIATRIC HOSPITAL SHALL NOT BE SUBJECT TO ANY ADMINISTRATIVE ACTION, SUSPENSION, REVOCATION OF LICENSE OR A CERTIFICATE OF NEED FOR DESIGNATING AN ENTITY PURSUANT TO SECTION 333.7462(D).

(4) THE MANUFACTURE, POSSESSION, AND DISTRIBUTION OF EQUIPMENT, PRODUCTS, OR MATERIALS IDENTIFIED IN SECTION 333.7462(C) SHALL BE AUTHORIZED WITHIN THE MEANING OF 21 USC 863(F).

(5) EXCEPT AS PERMITTED BY SECTION 333.7462 (1)(D) OR (F) OR OTHERWISE PROVIDED BY STATE LAW, IT SHALL BE UNLAWFUL AND GROUNDS FOR DISSOLUTION FOR ANY LEGAL ENTITY THROUGH ITSELF OR THROUGH AN AGENT OR EMPLOYEE TO ENGAGE IN THE POSSESSION, USE, CULTIVATION, PRODUCTION, CREATION, MANUFACTURE, SALE, GIVING AWAY, DELIVERY, AND ADMINISTRATION OF NATURAL PLANTS AND MUSHROOMS.

(6) THIS SECTION MAY NOT BE CONSTRUED TO:

(A) PERMIT A PERSON TO DRIVE OR OPERATE A MOTOR VEHICLE, BOAT, VESSEL, AIRCRAFT, OR OTHER VEHICLE OR DEVICE USED FOR TRANSPORTATION UNDER THE INFLUENCE OF NATURAL PLANTS AND MUSHROOMS;

(B) EXCEPT AS RECOMMENDED BY A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN MICHIGAN, PERMIT THE USE, POSSESSION, DELIVERY, ADMINISTRATION, OR TRANSFER OF NATURAL PLANTS AND MUSHROOMS, WITH OR WITHOUT REMUNERATION, TO A PERSON UNDER THE AGE OF EIGHTEEN (18) YEARS;

(C) REQUIRE AN EMPLOYER TO PERMIT OR ACCOMMODATE THE POSSESSION, USE, CULTIVATION, PRODUCTION, CREATION, MANUFACTURE, ANALYSIS, DELIVERY, SALE, OR ADMINISTRATION OF NATURAL PLANTS AND MUSHROOMS IN THE WORKPLACE;

(D) PROHIBIT A RECIPIENT OF A FEDERAL GRANT OR AN APPLICANT FOR A FEDERAL GRANT FROM PROHIBITING THE POSSESSION, USE, CULTIVATION, PRODUCTION, CREATION, MANUFACTURE, ANALYSIS, DELIVERY, SALE, AND ADMINISTRATION OF NATURAL PLANTS AND MUSHROOMS TO THE EXTENT NECESSARY TO SATISFY FEDERAL REQUIREMENTS FOR THE GRANT;

(E) PROHIBIT A PARTY TO A FEDERAL CONTRACT OR A PERSON APPLYING TO BE A PARTY TO A FEDERAL CONTRACT FROM PROHIBITING ANY ACT PERMITTED HEREIN TO THE EXTENT NECESSARY TO COMPLY WITH THE TERMS AND CONDITIONS OF THE CONTRACT OR TO SATISFY FEDERAL REQUIREMENTS FOR THE CONTRACT;

(F) REQUIRE A PERSON TO VIOLATE A FEDERAL OR TRIBAL LAW; OR

(G) EXEMPT A PERSON FROM A FEDERAL LAW, TRIBAL LAW, OR OBSTRUCT THE ENFORCEMENT OF A FEDERAL LAW.

(7) IF ANY PROVISION OF THIS SECTION 333.7462 OR ITS APPLICATION TO ANY PERSON OR CIRCUMSTANCES IS HELD INVALID, THE INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THIS SECTION THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION, AND TO THIS END, THE PROVISIONS OF THIS SECTION ARE SEVERABLE.